

think Gary Hirsh, from the Department of Labor, gave us some information that for OSHA to start tomorrow and inspect every job site in the State of Nebraska would take a number of years to get that done, and a very cursory inspection, at that, but for those jobs that do receive OSHA inspections, they are very thorough, they are unrelenting and they fine. And their fines are very significant in the tunes of five figures quite frequently for what the employer thought was a relatively minor infraction, and if it is one where there has been a serious injury, it's going to be...it is much more serious than that. How does OSHA decide what to inspect? First of all if there is an injury, particularly a death, they get out and inspect those. Secondly, they come out on those where there are complaints, and that tends to be about all that they get to because of their staffing level. If there is no injury or no complaint, they don't get out there. This state safety program requiring safety committees by the businesses and setting up a state consultation program whereby inspectors have an opportunity, pretty much an absolute right to enter the workplace and do an inspection, and they find an infraction, to refer that on to OSHA, let me tell you the real world out there where businesses are doing business, an OSHA inspection is a big matter. They rarely come out without making citations, and in this day and age those citations are real live dollars. So I think there already is a provision in the statute to provide the teeth for the safety committee and the safety program concept. I don't think we need this additional stuff of making it another matter to get it into the courts so that we can have people suing one another. I was surprised in serving on the committee and a rather ten...most of you I think know about my rather tenuous position that I have in the place where I work. I work with representing management but promoting the interest of that management force that works with organized labor, and I was very surprised, knowing what I know about management, that management would buy off on this as quickly as they did; being forced to set up committees, establishing a state consultation team with state inspectors who were to come in. I think the fact that they were willing to buy onto this as a piece of the puzzle means they are committed, and I think the majority of workers, majority of management, and a majority of employers do want...

SENATOR CROSBY: One minute.

SENATOR WITHEM: ...to maintain safe working environments because it's in their best interest. They lose money when a